



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo, Acting President

Jerry Duncan
Sal Quintero
Daniel Ronquillo

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JUNE 4, 2002

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.fresno.gov) THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Pastor Mark Irmeler of the Ambassador Baptist Church
Pledge of Allegiance to the Flag

Proclamation of "FAMILY AWARENESS DAY" - Mayor Autry and All Councilmembers

Presentation of Fresno High School Awards - Councilmember Boyajian

Proclamation of "MEN WHO COOK AND SOME WHO DON'T DAY" - Council President Perea

Proclamation of "JOHN MUIR/CITY OF FRESNO POLICE PEN PAL DAY" (Making Connections Program) - Councilmember Ronquillo

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of May 28, 2002

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:05 A.M. Approve the specification of Pelco products under the sole source exception not to exceed \$400,000 in future procurement solicitation(s) for the expansion and necessary upgrades to the existing Pelco Closed Circuit Television (CCTV) System for the terminal/concourse expansion project at Fresno Yosemite International Airport, Federal Aviation Administration AIP Grant No's. 3-06-0087-22, 24, 25, 28, 29, 31, 32 and 34 - Airports Dept.

Action Taken:

9:15 A.M. Appearance by Sandra Brock to discuss the City's administration of its 457 Deferred Compensation Plan

Action Taken:

9:20 A.M. Appearance by Yolanda Moreno to discuss a letter received by Code Enforcement relating to a notice of public nuisance summary abatement billing for property located at 2710 N. Fruit Avenue

Action Taken:

9:25 A.M. Appearance by Barbara Hunt to discuss legal documents relating to the multi-purpose downtown stadium

Action Taken:

9:30 A.M. Appearance by Keith Kelley of Community Voices from West Fresno to discuss the City budget - Councilmember Ronquillo

Action Taken:

9:45 A.M. **RESOLUTION** - To extend the boundaries of Residential Permit Parking District No. 3 - Councilmember Quintero

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 10:00 A.M. HEARING** to consider a resolution of public use and necessity for acquisition of a street easement for improvements to N. Peach Avenue (*Property located in Council District 4*) - Public Works Dept.
Action Taken:
- a. * **RESOLUTION** - That the public interest and necessity require the acquisition of a street easement at the southeast corner of N. Peach and E. McKinley Avenues (APN 455-201-17SU) (*Requires 5 affirmative votes*)
Action Taken:
- 10:15 A.M. HEARING** to consider Rezoning Application No. R-02-004 and environmental findings, filed by Robby Antoyan on behalf of Vatche Soghomonian, for 17, 832 square feet of property located at 343 and 353 E. Herndon Avenue (*Property located in Council District 6*)
Action Taken:
- a. Consider and adopt Negative Declaration for Environmental Assessment No. R-02-04
Action Taken:
- b. **BILL** - Amending the Official Zone Map to rezone the subject property from the R-A (Single-Family Residential-Agricultural) zone district to the C-P (Administrative and Professional Office) zone district
Action Taken:
- 10:30 A.M. HEARING** to consider Rezoning Application No. R-02-005 and environmental findings, filed by W.G. Enterprises, for 29 acres of property located at 6621-6875 N. Milburn Avenue (*Property located in Council District 2*)
Action Taken:
- a. Consider and adopt Negative Declaration for Environmental Assessment No. R-02-05
Action Taken:
- b. **BILL** - Amending the Official Zone Map to rezone the subject property from the M-1/EA/BA-15/UGM cz (Light Manufacturing/Expressway Area Overlay/Boulevard Area, 15-foot setback/Urban Growth Management/with conditions) and C-2/EA/BA-15/UGM/cz (Community Shopping Center Expressway Area Overlay/Boulevard Area, 15-foot setback/Urban Growth Management/with conditions) to M-1/EA/BA-15/UGM (Light Manufacturing/Expressway Area Overlay/Boulevard Area, 15-foot setback/Urban Growth Management) and C-1/EA/BA-15/UGM (Community Shopping Center/Express Area Overlay/Boulevard Area, 15-foot setback/Urban Growth Management/no conditions) zone district
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. HEARING to consider Rezoning Application No. R-02-008 and environmental findings, filed by Gerald Weil, for 4.87 acres of property located at 7299, 7339, and 7375 N. Jackson Avenue (*Property located in Council District 6*)

Action Taken:

- a. Consider and adopt Negative Declaration for Environmental Assessment No. R-02-08

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five-Acre Agricultural/Urban Growth Management) zone district to the R-1/UGM (Single-Family Residential/Urban Growth Management) zone district

Action Taken:

11:00 A.M. HEARING to consider Plan Amendment Application No. 02-03, Rezoning Application No. R-02-03, and environmental findings, filed by Bonadelle Development Corporation, for 27 acres located on the west side of N. Willow Avenue between E. Alluvial and E. Nees Avenues (*Property located in Council District 6*)

Action Taken:

- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-02-03/R-02-03/T-5067

Action Taken:

- b. **RESOLUTION** - Amending the 1984 Fresno General Plan and the 1989 Woodward Park Community Plan (Plan Amendment No. A-02-03)

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone the subject property from the AL-20 (County) and R-R (County) zone districts to the R-1/UGM (Single-Family Residential/Urban Growth Management) zone district

Action Taken:

11:10 A.M. Presentation relating to the update of cable television franchise issues

- a. Set hearing for 6/11/2002

Action Taken:

1:30 PM - 5:30 PM. CONTINUED BUDGET HEARINGS

- a. City Attorney's Office
- b. City Clerk's Office
- c. Parks and Recreation Department
- d. General Services Department
- e. Personnel Services Department
- f. Finance Department
- g. Information Services Department
- h. Housing, Economic & Community Development Department
- i. Public Works Department
- j. Capital Improvement Program
- k. General City Services

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

5:30 P.M. HEARING to consider Conditional Use Permit Application No. C-02-038, and environmental findings, filed by Frank Parr, for 13.59 acres located on the west side of N. Figarden Drive, north of W. Bullard Avenue adjacent to the Santa Fe mainline relating to the development of a 138-unit apartment complex *(Property located in Council District 2)*

Action Taken:

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. C-02-038

Action Taken:

2. **RESOLUTION** - Approving Conditional Use Permit Application No. C-02-038

Action Taken:

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Andrew T. Souza, Severo Esquivel and Jorge C. Aguiniga

Employee Organization(s):

1. Amalgamated Transit Union, Local 1027 (ATU)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Alice Reyher v. City of Fresno, et al.

2. **Case Name:** Fresno Police Officers' Association (FPOA) and William M. Dragoo, Ronald Passmore, Lawrence Bertao, Daniel Montevecchi and Roger Enmark v. City of Fresno Retirement Board and the City of Fresno

3. **Case Name:** Stationary Engineers, Local 39, IUOE, AFL-CIO v. Roseleen Randall aka Judy Randall; Judith Randall, Judith Randall dba Randall & Associates; Judith Randall dba The Randall Group; Randall & Associates; The Randall Group of Companies; and Related Cross-Action

4. **Case Name:** Dominga Campos, et al. v. City of Fresno, et al.

5. **Case Name:** City of Fresno v. County of Fresno, LAFCO and City of Clovis

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT-PARTICIPATION - Government Code Section 54954.2, Subdivision (a)

1. **Case Name:** David Levy and Beth Levy v. City of Santa Monica, a California Charter City; Ken Genser, Councilmember for the City of Santa Monica, et al.

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING)

- A. **RESOLUTION** - Rescinding and superseding Resolution No. 98-368 which ordered the vacation of a portion of Hamilton Avenue between Parallel Avenue and Third Street and Orleans Avenue west of Second Street - Public Works Dept.
Action Taken:
- B. * **RESOLUTION** - 98th amendment to AAR No. 2001-200 appropriating \$50,000 for various municipal service center maintenance projects - General Services Dept/Facilities Mgmt. (*Requires 5 affirmative votes*)
Action Taken:
- C. **RESOLUTION** - Approving the Final Map of Tract No. 4852 and accepting dedicated public uses therein; a 52-lot single family non-clustered planned development residential subdivision located on the northeast corner of W. Palo Alto and N. Milburn Avenues - Planning and Development Dept.
Action Taken:
1. **RESOLUTION** - Certifying that provisions have been made for segregation of the existing assessment to each of the new lots being created by Tract No. 4852
Action Taken:
- D. Approve an Agricultural Lease Agreement with the Quist Dairy, A California partnership, for 247.2 acres of City-owned land at the Regional Wastewater Reclamation Project - Dept. of Public Utilities
Action Taken:
- E. Approve Aviation Land and Building Lease and Agreement between the City of Fresno and Talus Aviation Service to occupy premises at the Fresno Chandler-Downtown Airport
Action Taken:
- F. Approve Amendment No. 2 to the Aviation Building Lease and Agreement between the City of Fresno and Fresno Airports Company to occupy premises at the Fresno-Chandler-Downtown Airport
Action Taken:
- G. **RESOLUTION** - Authorizing the purchase and installation of Siemens transportation systems on-street passenger information displays without advertised competitive bidding
Action Taken:
- H. Award a contract to construct well head treatment improvements at Pump Station 182 - General Services Dept./Dept. of Public Utilities
Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

- I.** Award a contract for Lions Den Skate Park (rebid) - General Services Dept./Public Works Dept./Parks and Recreation Dept.
Action Taken:
- J.** Award a contract for one (1), new triple combination fire engine (pumper) - General Services Dept./Fire Dept.
Action Taken:
- K.** Award a requirements contract for laboratory services for analysis of water, wastewater, and biosolids - General Services Dept./Dept. of Public Utilities Dept.
Action Taken:
- L.** Award a contract to construct well site improvements at Pump Station 145 - General Services Dept./Dept. Of Public Utilities
Action Taken:
- M.** Approve right of entry for survey and exploration between the City of Fresno and the United States Army Corps of Engineers - Airports Dept.
Action Taken:
- N.** **RESOLUTION** - Approve Grant Amendment for Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant No. 03-06-0087-28 for an additional \$269,507 (with no further matching funds required) offered to reimburse the Airport for expenses to upgrade airfield signs to accommodate the new instrument landing system provided by the FAA at the Fresno Yosemite international Airport (FYI) - Airports Dept.
Action Taken:
- O. * RESOLUTION** - 100th amendment to AAR No. 2001-200 appropriating \$40,000 and transferring \$400,000 of contingency to the contract overtime line item to pay for overtime costs that are reimbursed for special event security provided by the Police Department **(Requires 5 affirmative votes)** - Police Dept.
Action Taken:
- P.** **RESOLUTION** - Authorizing the Chief of Police to enter into a Lease Agreement between the City of Fresno and Wayne H. Towne and Frances Towne for office space at 1330 "L" Street, Suite "A", Fresno, for the Police Department Internal Affairs Unit and the Professional Standards Unit - Police Dept.
Action Taken:

1.

GENERAL CONSENT CALENDAR CONTINUED

- Q.** Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Clovis Police Department and the Fresno County Sheriff's Department to expand a Countywide Geographical Information System (GIS) Based Crime View Law Enforcement Crime Mapping System - Police Dept.
Action Taken:
- R. * RESOLUTION** - 101st amendment to AAR No. 2001-200 transferring \$252,000 from contingency to pay increases in property damage insurance premiums (***Requires 5 affirmative votes***) - Personnel Services Dept.
Action Taken:
- S. * RESOLUTION** - 102nd amendment to AAR No. 2001-200 transferring \$30,000 of contingency for increased professional services costs for completion of the General Plan and authorizing an amendment to the Professional Services Agreement with URS (***Requires 5 affirmative votes***) - Planning and Development Dept.
Action Taken:
- T. RESOLUTION** - Approving the Final Map of Tract No. 4959, Phase I of Vesting Tentative Map No. 4959/UGM, and accepting dedicated public uses therein, a 20-lot single-family residential planned development subdivision on 12 acres, located on the east side of N. Van Ness Boulevard between W. Alluvial and the south bluff of the San Joaquin River (***Property located in Council District 2***) - Planning and Development Dept.
Action Taken:
- U. RESOLUTION** - Approving the Final Map of Tract No. 5014 and accepting dedicated public uses therein; a 21-lot single-family planned development residential subdivision located on the south side of E. Church Avenue between S. Chestnut and S. Willow Avenues (***Property located in Council District 5***) - Planning and Development Dept.
Action Taken:

2.

CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

3. **GENERAL ADMINISTRATION**

- A. Provide direction regarding County request for City utility service to the proposed Fresno Juvenile Justice Campus - Dept. of Public Utilities

Action Taken:

- B. * **RESOLUTION** - 105th amendment to AAR No. 2001-200 appropriating \$1,279,000 for temporary nitrate removal treatment costs for four pump stations (*Requires 5 affirmative votes*) - Personnel Services Dept.

Action Taken:

1. Authorize the Public Utilities Director to execute an Equipment Lease Agreement not to exceed \$1,1075,200 for the treatment of up to four (4) wells contaminated with nitrates

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request report from the Fresno City Fire Department on the new entry level process (hiring new firefighters) - Councilmember Quintero

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- June 11 - (Time to be set) HEARING** cable television franchise
- June 11 - 9:45 A.M.** Award a contract for transportation and processing of wood and yard waste - Dept. of Public Utilities
- June 11 - 10:15 A.M. HEARING** re: CFD No. 2, Annexation No. 36 (Tract Map No. 5051)
- June 11 - 10:30 A.M. HEARING** re: CFD No. 2, Tract No. 4723
- June 11 - 10:35 A.M.** Presentation by COG on Measure "C" (30 minutes)
- June 11 - 11:10 A.M. HEARING** re: acquisition of easements for the Shaw and Fresno intersection project
- June 11 - 11:30 A.M.** Resolution re: proposed charter amendment to increase membership of Retirement Board by allowing for a representative of retirees
- June 11 - 1:30 P.M. - 5:30 P.M. CONTINUED BUDGET HEARINGS**
- June 11 - 2:00 P.M. BUDGET HEARING** regarding CDBG, HOME Funds, and Emergency Shelter Grant (ESG) fund (2002-2003 Annual Action Plan)
- June 11 - 1:30 P.M. - 5:30 P.M. BUDGET ADOPTION**
- June 18 - 11:30 A.M.** Appearance by Chuck McAlexander of F.U.S.D. to update Council on new acquisition of new school sites funded by the Measure "K" Bond - Councilmember Boyajian
- June 18 - 5:45 P.M. HEARING** re: Housing Element to the General Plan
- June 25 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 37 for Tract No. 4903
- June 25 - 10:15 A.M.** Adoption of a resolution of intent to issue Multifamily Revenue Housing Bonds to finance the construction of a multifamily residential rental project (Parr Apartments)
- June 25 - (Time to be set) - JOINT HEARING/RDA** on DD&A, property located at Tuolumne & Broadway
- July 2 - COUNCIL VACATION**
- July 9 - COUNCIL VACATION**
- July 16 - 10:00 A.M. HEARING** re: annual levy for Landscaping and Lighting Maintenance District (LLMD)
- July 16 - 10:15 A.M. HEARING** re: vacation of Broadway Plaza, the Broadway Diagonal, the Broadway - "H" alley, and the Broadway Diagonal Reversal in the area bounded by "H", Merced, Fulton and Tuolumne Streets - R.I. 1028-D
- Aug. 6 - COUNCIL VACATION**
- Aug. 13 - COUNCIL VACATION**

